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Serial No. 09/697,179

**RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2882**  
Docket No.: 1344.1046

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Nobuaki MITAMURA et al.

Serial No. 09/697,179

Group Art Unit: 2882

Confirmation No. 4454

Filed: October 27, 2000

Examiner: Krystyna Suchecki

For: AIRGAP TYPE ETALON APPARATUS UTILIZING THE SAME

**AMENDMENT UNDER 37 C.F.R. § 1.116**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed December 5, 2003, and having a period for response set to expire on March 5, 2003. A Petition for a one-month extension of time, together with the requisite fee for same, is submitted herewith, thereby extending the period for response to April 5, 2004. The following amendments and remarks are respectfully submitted.

04/06/2004 TBESHAH1 00000027 09697179

01 FC:1251

110.00 OP



Image  
AF/2882  
JB

S&H Form: (10/03)

<b>REPLY/AMENDMENT FEE TRANSMITTAL</b>	Attorney Docket No.	1344.1046	
	Application Number	09/697,179	
	Filing Date	October 27, 2000	
	First Named Inventor	Nobuaki MITAMURA et al.	
	Group Art Unit	2882	
AMOUNT ENCLOSED	110.00	Examiner Name	Krystyna Suchecki

**FEE CALCULATION (fees effective 10/01/03)**

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	8	- 20 =	0	X \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS	2	- 3 =	0	X \$ 86.00 =	0.00
Since an Official Action set an <u>original</u> due date of <u>March 5, 2004</u> , petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110); 2 months (\$420); 3 months (\$950); 4 months (\$1,480); 5 months (\$2,010)):					110.00
If Notice of Appeal is enclosed, add (\$330.00)					0.00
If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110.00)					0.00
Information Disclosure Statement (Rule 1.17(p)) (\$180.00)					
Total of above Calculations =					\$ 110.00
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)					
TOTAL FEES DUE =					\$ 110.00

- (1) If entry (1) is less than entry (2), entry (3) is "0".  
(2) If entry (2) is less than 20, change entry (2) to "20".  
(4) If entry (4) is less than entry (5), entry (6) is "0".  
(5) If entry (5) is less than 3, change entry (5) to "3".

**METHOD OF PAYMENT**

- ☒ Check enclosed as payment.
- ☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
- ☐ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

**GENERAL AUTHORIZATION**

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:
- |                      |                    |
|----------------------|--------------------|
| Deposit Account No.  | 19-3935            |
| Deposit Account Name | STAAS & HALSEY LLP |
- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

Typed Name	John C. Garvey	Reg. No.	28,607
Signature		Date	4-2-04

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